

## § 101.31

## 14 CFR Ch. I (1–13 Edition)

type of rocket to the FAA at least 45 days before the proposed operation. The FAA may request additional information if necessary to ensure the proposed operations can be safely conducted. The information shall include for each type of Class 3 rocket expected to be flown:

- (1) The information requirements of paragraph (a) of this section,
- (2) Maximum possible range,
- (3) The dynamic stability characteristics for the entire flight profile,
- (4) A description of all major rocket systems, including structural, pneumatic, propellant, propulsion, ignition, electrical, avionics, recovery, wind-weighting, flight control, and tracking,
- (5) A description of other support equipment necessary for a safe operation,
- (6) The planned flight profile and sequence of events,
- (7) All nominal impact areas, including those for any spent motors and other discarded hardware, within three standard deviations of the mean impact point,
- (8) Launch commit criteria,
- (9) Countdown procedures, and
- (10) Mishap procedures.

[Doc. No. FAA–2007–27390, 73 FR 73781, Dec. 4, 2008, as amended at Doc. No. FAA–2007–27390, 74 FR 31843, July 6, 2009]

### Subpart D—Unmanned Free Balloons

SOURCE: Docket No. 1457, 29 FR 47, Jan. 3, 1964, unless otherwise noted.

#### § 101.31 Applicability.

This subpart applies to the operation of unmanned free balloons. However, a person operating an unmanned free balloon within a restricted area must comply only with § 101.33 (d) and (e) and with any additional limitations that are imposed by the using or controlling agency, as appropriate.

#### § 101.33 Operating limitations.

No person may operate an unmanned free balloon—

- (a) Unless otherwise authorized by ATC, below 2,000 feet above the surface within the lateral boundaries of the surface areas of Class B, Class C, Class

D, or Class E airspace designated for an airport;

- (b) At any altitude where there are clouds or obscuring phenomena of more than five-tenths coverage;

- (c) At any altitude below 60,000 feet standard pressure altitude where the horizontal visibility is less than five miles;

- (d) During the first 1,000 feet of ascent, over a congested area of a city, town, or settlement or an open-air assembly of persons not associated with the operation; or

- (e) In such a manner that impact of the balloon, or part thereof including its payload, with the surface creates a hazard to persons or property not associated with the operation.

[Doc. No. 1457, 29 FR 47, Jan. 3, 1964, as amended by Amdt. 101–5, 56 FR 65662, Dec. 17, 1991]

#### § 101.35 Equipment and marking requirements.

- (a) No person may operate an unmanned free balloon unless—

- (1) It is equipped with at least two payload cut-down systems or devices that operate independently of each other;

- (2) At least two methods, systems, devices, or combinations thereof, that function independently of each other, are employed for terminating the flight of the balloon envelope; and

- (3) The balloon envelope is equipped with a radar reflective device(s) or material that will present an echo to surface radar operating in the 200 MHz to 2700 MHz frequency range.

The operator shall activate the appropriate devices required by paragraphs

- (a) (1) and (2) of this section when weather conditions are less than those prescribed for operation under this subpart, or if a malfunction or any other reason makes the further operation hazardous to other air traffic or to persons and property on the surface.

- (b) No person may operate an unmanned free balloon below 60,000 feet standard pressure altitude between sunset and sunrise (as corrected to the altitude of operation) unless the balloon and its attachments and payload, whether or not they become separated during the operation, are equipped with lights that are visible for at least 5